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SFA**BILL ANALYSIS**

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Senate Bill 1029 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Thaddeus G. McCotter
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to reduce from 17 years to 16 years the age at which certain prostitution-related violations apply to offenders. The bill also would extend to males a current prohibition against employing or allowing females under 18 in a house of prostitution, and would reduce that age to under 17. The bill would take effect on June 1, 2002, and is tie-barred to Senate Bill 180 and House Bills 4325 and 5449 (which would revise penalties for prostitution-related offenses).

Currently, the following offenses apply when the offender is 17 years of age or older: receiving, admitting, or offering to receive or admit a person into a place, structure, house, building, or vehicle for the purpose of prostitution, lewdness, or assignation; knowingly permitting a person to remain in a place, structure, house, building, or vehicle for the purpose of prostitution, lewdness, or assignation; and aiding, assisting, or abetting another person to commit either of those offenses. Under the bill, those crimes would apply to an offender who was 16 or older.

The Code also prohibits a person from taking or conveying to, or employing, receiving, detaining, or allowing in a house of prostitution, house of ill-fame, bawdy-house, house of assignation, or any house or place for the resort of prostitutes or other disorderly people, a female who is 17 or younger. The offense is a misdemeanor with no specified penalty. Under the bill, that violation would apply to any person 16 years of age or less, and would be punishable by the same penalty that applies to other prostitution-related offenses (which would be up to 93 days and/or \$500, or enhanced penalties for repeat offenses, under House Bill 4325).

MCL 750.448 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on State and local government. There are currently no statewide data to indicate how many offenders a year are convicted of prostitution-related misdemeanors. According to the Department of Corrections 1999 Statistical Report, 58 offenders were convicted of prostitution-related felonies. To the extent that it would increase the pool of possible offenders by lowering the age threshold for prosecution from 17 to 16, the bill could potentially increase criminal justice costs. First- and second-time offenders would receive misdemeanor sentences. Local units would incur the cost of probation and incarceration, which varies by county from \$27 to \$65 per day. Third-time offenders would be convicted of a felony and would be eligible for probation or incarceration in a State facility. The State would incur the cost of probation, estimated to be \$4.38 per day, as well as incarceration, at an average annual cost of \$25,000.

Date Completed: 2-13-02

Fiscal Analyst: Bethany Wicksall

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Bill Analysis @ <http://www.senate.state.mi.us/sfa>

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